551 The institution of the device, with all its elaborations, has the
576 effect of confirming people in their bodies, their spiritual principles, and their social functions. Except for the cases of emigration mentioned above, the occasions are rare indeed when an individual is obliged to change his name or device during his life. A woman keeps her father's barama even after marriage.

551 An illegitimate child receives neither the name nor the device of
848 his family. They may be given him later if the father makes himself
564 known. A Bambara who contracts a misalliance, for example, by
783 marrying the daughter of a blacksmith or a griot, will bring into the world impure children who will never have a right to their father's barama (1).

1. Such a child is said to be a sofali (literally, horse donkey), that is, a bastard.

552 We must add that the prerogative of having a device is not limited
782 to humans. All animate beings, many /80/ inanimate ones, the elements of nature, places, villages, plants, animals, and all the supernatural powers have theirs which men address during prayers.

The Taboo

784 One or several eating taboos, tne or tana, are attached to the
[551] family name and are observed by all who bear the name. According to certain initiates, the taboos were decreed by Faro when he determined the food proper to each species (2) after having classified the

2. See p. 52.

beings of creation. For the common man, the origin of the taboo is always the subject of a tale or legend and justifies the bonds between an ancestor of the family and the animal or plant designated. Most frequently, the animal has helped the man, has saved his life, or the other way around; or else, following some serious events, the ancestor was transformed into an animal or plant. Numerous versions of the origins of such bonds are given.

It is also at the crossroads that the elders place the child whose legitimacy is in doubt. If the diviner who is then consulted declares that the child is a bastard, he is deprived of the protection of the spirits and is supposedly unable to survive the nyama which he has acquired at the place. In this same spot are buried abnormal children, in particular hydrocephalics who are considered undesirable. The spindle of a dead woman is placed here along with the broom she habitually used.

But the ritual most characteristic of the crossroads is the one resorted to by the village when it is in trouble: the primitive wooden mallet, gosilande is planted in the ground; it is then struck with a stalk of millet to chase away evil and to induce new techniques of reparation to come out of the instrument (1).

1. See p. 145.

C. Stone Altars

In the villages, at the intersections of lanes, and in the squares, the founding ancestors are represented by stones under which various objects are buried (see Pl. V, b).

At Sama, four large stones, encased in a clay platform, symbolize both the cardinal points and the ancestors. They are in touch with the dasiri and receive the same offerings. At Banankoroni, the fara ba is partly buried. Under its point is an albino skull which represents those of the first ancestors and their bones. Two hoes, one placed near the right ear and the other near the left ear, convey the idea that "the man who cultivates the earth will never hear a humiliating word." Under the chin, another hoe recalls that the villagers who are faithful to agriculture will never know famine. Under the hoe, a siriku (2) protects them against those who try to harm them, and brings them

2. See p. 179, n. 1.

"the hyena's luck"; it also means that some of their ancestors were transformed into hyenas in former times. A circumcision knife recalls that all males are circumcised, and all women excised (Fig. 15). Finally, three albino bones and a small pile of copper are a testimony to /142/ Faro's presence and power. Drawings are made on these

The Patriarchal Community

When the fa is dead, all his property remains jointly among his legal heirs, thus constituting a patriarchal community whose investigation has two parts: the community of persons and the community of property. [173]

I. The Community of Persons

Members of the community. The patriarchal community is made up solely of the legitimate descendants of the deceased fa: immediate descendants (sons and daughters), or his descendants exclusively in the male line (descendants of his sons and grandsons).

The descendants of the fa through his daughters are outside the community since they belong to the patriarchal communities of their respective fathers.

If, at his death, the fa leaves no male heirs there can be no patriarchal community; his property is divided among his daughters or, if there are none, among his brothers. If only a father or mother or some other ascendant were left, his property would go to them, or if he leaves only daughters, his property goes to them, but in either case there will no longer be a community.

Legitimacy is the necessary and sufficient condition for inclusion as a member of the community. A legitimate child is one born of a marriage, that is, of a union between two free individuals that conforms to custom. When slavery introduced concubinage into the household, however, the rule was relaxed because a free man was unwilling to have his sons slaves. In practice, therefore, maternity resulting from intercourse with a free man frees his concubine from slavery, and the children of the union become members of the community. This dangerous privilege is often contested by agnate brothers born of free mothers.

Given the diversity of conjugal bonds, ranging from marriage to free union, it is easy to imagine the discussions that

848
596 arise on the subject of legitimacy. During the fa's lifetime,
614 his authority imposes whatever solution pleases him, but when
578 he is gone, the disputes involving status are all the more violent for having been suppressed or evaded for so long.

614 These disputes gain strength also from the difference in
596 rank which the members have within the community. The totality of prerogatives of all kinds which raise the fa above all others constitutes a kind of superior dignity whose essence is the omnipotence covered by the word faya, from which came the title fa [174] (master, lord). It is in reference to the faya that the members of the community are ranked.

[562] Only male members can advance claims to the faya, and because they can do this, they can all call themselves fa. On the other hand, women can never hold this authority; they are fantan'-u, "powerless."

596 Among the fa-u there are distinctions based on degree of
614 kinship and on age; those most closely related to the fa will be
601 the first to receive the honors about to be described. Male
561 descendants in the first degree form a sort of senate of which the eldest is a kind of president-by-birth; he is truly the fa, the actual representative of the deceased. The one immediately following him by rank in terms of age is his syere (follower), his heir presumptive at the head of the community. The other senators, usually brothers of the fa, are uncles (bina-u) to the descendants of the second degree and their children. By reason of the authority associated with the position of bina-u in the community, this kinship term has come to be a title of respect which is bestowed on men toward whom one wishes to show particular esteem (1). Because of their age,

1. It is worthy of note that in Uncle Tom's Cabin, Miss Stowe explains that among the slaves in America the word "uncle" had precisely this meaning as a title of respect and honor.

all the senators of the community are commonly called koro-u, "the elders," and the fa is first among them.

596 deprived of his rights, he and subsequently those who would
614 represent him; the branch of the family of which he is head is henceforth dead so far as the family is concerned.

In the second place, no member of the community
[848] attains the faya unless he fulfills certain conditions, of which the first are legitimacy and primogeniture.

The fact that the claimant is a member of the community implies that he is legitimate. Since it does happen,
[578] however, that the question may not have actually been investigated or, by the wish of the fa, not even been raised, the legal heirs who would be injured and intriguers who seek any pretext -- and there are always some of these persons -- raise the question, and infinite complications often follow.

Primogeniture is equally subject to challenge, and the opposition everywhere finds it a convenient motive for their machinations. It is, indeed, understandable that in polygamous
[595] households, with the wives sometimes residing in various places apart from the husband, simultaneous or at least close births give rise to disagreements as to which son was in fact the first-born.

Finally, even though he may actually be the eldest legitimate son, the claimant may find himself passed over because of measures taken [176] against him by the late fa. It appears that although custom favors the eldest legitimate son, it yields to the expressed wishes of the fa if the senate agrees to his rejecting the candidate. This is a grave step and one which may lead to the most violent reactions.

This raises the question of whether special talents or aptitudes should be required of the claimant, over and above those of legitimacy and primogeniture. For example, can he be required to be healthy, active, and a good administrator? It appears that the senate may choose to eliminate a person it deems unworthy. This applies particularly to a free man who has voluntarily fallen from that state by living like a caste member or a slave. By this behavior he has already excluded himself from the community, but it sometimes happens that his actual exclusion has not been noted or announced before the question of accession to the faya arises.

562 Between the omnipotence of the first and the humble
581 lot of the second there is every possible gradation. This is all
595 the more true in that, thanks to polygamy, lawful households may be found in association with the free unions and concubinage desired by the husband, in such a way that the position of each person in the family, already affected by all these contingencies, is, in the last analysis, dominated by the absolute authority of the fa. We shall see this clearly in connection with filiation, and it is no less apparent regarding wives, except for those already described who have sufficient influence and the means to live virtually independent of the rest of the family. Although in fact a wife who was not paid for has no regular position and her children legally do not belong to either of their parents, although a concubine does not even count as a person, according to custom, and her children are their genitor's slaves, merely by the will of the fa either of them may have an enviable pre-eminence in the family, especially envied by the lawful wives.

593 Under these circumstances, it may be admitted that con-
562 jugal duties, obedience, fidelity, and their counterparts, the rights to help and assistance, have nuances that vary from one situation to another. It is true that a wife must obey her husband and that he is allowed to resort to [208] corporal punishment to control her, which he does not fail to use. She is not completely at his mercy, however. For instance, he can require her to live in a given place; nevertheless, if it has been agreed that she is not to leave the tribal territory, and this usually tacitly understood, he may not take her away. He can force her to do household chores, but if she is free, he cannot require her to do servile tasks. In the same way, he cannot rent out her services, put her up as security, or sell her.

837 The duty of reciprocal fidelity is most often very vague.
Admittedly, this is not expected of the husband, and indeed, the wife often encourages his lapses from virtue on the theory that this indulgence will attach him to her. As far as a wife's misbehavior is concerned, a husband does not always give it much importance and is sometimes not at all averse to profiting
[848] from it. If children result from her indiscretions, he is not distressed in the least about accepting or denying them.

596 The fa. -- The whole of this family obeys the same head: the fa. The fa is designated by a council of elders when he fulfills the following conditions: first, not to refuse the faya and to be a member of the community, that is, actually to live within the com- [567] munity; next, he must never have been a slave, and he must not have settled abroad without hoping to return home. In addition, he [848] must be a legitimate child, that is to say, born in wedlock, and the firstborn. In principle, the faya passes from older to younger brother (in the classificatory sense of the term). Thus, the fa is always the member of each generation closest to the ancestor. Finally, the fa must be able, that is, healthy, active, and a good administrator. Often the fa designates his successor before his death. The successor may assume power only 40 days after the death of the last fa, and after being recognized as head of the family by the assembly of elders. From that moment on, he exercises his functions, come what may.

The fa has charge of, and the moral and physical responsibility for, the whole community. He directs and protects all the members of the family. These latter can escape his authority only by leaving the village for good; they are then considered to be dead members. (The descendants of the fa by his daughters are outside of the community; they belong to the patriarchal communities of their respective fathers.)

The fa, head of the family, lives under the administrative dependence of the head of the village.

2. From Family to Community

621 The true social unit is the community. Ties of kinship and marriage unite groups without racial or ethnic unity.

a. Patriarchal Organization of the "Ton." -- All the family
622 heads obey a village head: it is on him that the responsibility falls for the organization of the community territory, as well as the responsibility for administering justice when contention arises between followers of different faya. The village chief is generally master of the land: dugu-kolo-tigi; sometimes [54] he cedes his rights to a village administrative chief younger than himself, but in matters of religion he remains all-powerful, and each year he receives gifts from the different family heads for the needs of the common cult. He also

684 836 however, because the Negroes say that although the betrothed girl does not belong entirely to herself, neither does she belong entirely to her fiancé; she still retains certain rights to her own person, "à ma di ban, she has not yet been given."

684 627 When a girl becomes pregnant, she is arraigned before the family council. After a goat has been slaughtered for the family boli, she is asked the name of her partner, and if she refuses to disclose it the council of the elders is called in. She has to yield, otherwise she is tied to one of the forked sticks that support the flat terrace roof, and blows rain thick on her back.

As soon as the guilty man is named, she swears on a powerful boli (1) that she has told the truth, and the man is summoned.

1. It is almost always a Komo, a Nama, or a Kono.

Nothing is to be gained by being a perjurer; it is better to pay the fine and live. The stain on his honor is slight, and he confesses without much shame: "Tigné (that is true); né no do (it is my fault)."

The fine is between 15 and 20 francs and often between 25 and 30 francs (2), not including the sacrifice to the boli, which con-

[583]

2. The rule is that the culprit should pay the fiancé the entire bride price, or some 30 francs.

sists of two hens, two dogs, a goat, and two kola nuts. Quite often the injured fiancé has to be satisfied with the victims for the sacrifice and a small present, one to two kilos of salt, and 800 to 1,600 cowrie shells, or 1 to 2 francs. As for the child of an unmarried mother, its 847 fate is in the hands of the grandmothers, and of the father and the ●848 mother, and it quite often happens that it does not cry twice in this 567 world; to use the Bambara expression: "N'a kasira, a t'na foula ké, if he has cried, he will not do it a second time." I am speaking here of a free girl, for the child of an unmarried slave girl is welcome; it is a gain for the house, and no attention is paid to the guilty man. This is easy to understand, for is there a Negro who does not abuse his slave?